

FILED
FEB 27 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]* DEPUTY CLERK

United States District Court

for the

Western District of Texas

United States of America)

v.)

(1) Christian Albiter-Mora)

Defendant)

Case No. AU:25-M -00198(1)

) Charging District's

) Case No. DR:20-CR-1836

COMMITMENT TO ANOTHER DIVISION

The defendant has been ordered to appear in the Del Rio Division of WDTX.

The defendant may need an interpreter for this language: _____

The defendant: ☐ will retain an attorney.

☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

RECEIVED

FEB 27 2025

U.S. MARSHALS W/TX DEL RIO

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging division and deliver the defendant to the United States marshal for that division, or to another officer authorized to receive the defendant. The marshal or officer in the charging division should immediately notify the United States attorney and the clerk of court for that division of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging division.

02/25/2025

[Signature]
MARK LANE
UNITED STATES MAGISTRATE JUDGE

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CRIMINAL DOCKET FOR CASE #: 1:25-mj-00198-ML-1
Internal Use Only**

Case title: USA v. Albiter-Mora

Date Filed: 02/25/2025

Other court case number: DR:20-CR-1836 WDTX- Del Rio
Division

Date Terminated: 02/25/2025

Assigned to: Judge Mark Lane

Defendant (1)

Christian Albiter-Mora
TERMINATED: 02/25/2025

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints



Violation of Supervision

Disposition

Plaintiff

USA

represented by **Keith Mason Henneke**
U.S. Attorney's Office
Western District of Texas
903 San Jacinto Blvd., Suite 334
Austin, TX 78701
512-370-1291
Email: Keith.Henneke@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/25/2025	<u>1</u>	Arrest (Rule 5/Rule 32.1) of Christian Albiter-Mora (SL) (Entered: 02/25/2025)
02/25/2025	 <u>2</u>	Minute Entry for proceedings held before Judge Mark Lane: Initial Appearance as to Christian Albiter-Mora held on 2/25/2025 (Minute entry documents are not available electronically.) (Court Reporter FTR.) (klw) (Entered: 02/26/2025)
02/25/2025	 <u>3</u>	CJA 23 Financial Affidavit by Christian Albiter-Mora (SEALED pursuant to E-Government Act of 2002). (klw) (Entered: 02/26/2025)
02/25/2025	<u>4</u>	COMMITMENT TO ANOTHER DISTRICT/DIVISION as to Christian Albiter-Mora. Defendant committed to Del Rio. Signed by Judge Mark Lane. (klw) (Entered: 02/26/2025)
02/25/2025		Proceedings Complete in Arresting Division as to Christian Albiter-Mora. Documents to be downloaded by Charging Division. (klw) (Entered: 02/26/2025)

PROB 12C
(7/93)
FILED
February 25, 2025
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT **FILED**

BY: SL
DEPUTY

for

WESTERN DISTRICT OF TEXAS

JAN 24 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY OC
DEPUTY CLERK

Petition for Warrant or Summons for Offender Under Supervision

Austin Case No: 1:25-Mj-00198-ML

Name of Offender: Christian Albiter-Mora Case Number: DR:20-CR-01836-(1)-AM

Name of Sentencing Judicial Officer: Honorable Alia Moses, Chief United States District Judge

Date of Original Sentence: July 27, 2021

Original Offense: Conspiracy to Transport Illegal Aliens, in violation of 8 U.S.C. § 1324

Original Sentence: Twenty-one (21) months' imprisonment, with credit for time served since November 29, 2020, followed by a three (3) year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: May 13, 2022

Assistant U.S. Attorney: John P. Cooper Defense Attorney: Ronald Perry Guyer - appointed

PREVIOUS COURT ACTION

On July 7, 2022, a Probation Form 12A was filed with the Court to address positive drug tests and failure to report for drug testing. No action was requested or taken by the Court.

On January 8, 2024, a Probation Form 12A was filed with the Court to address continued positive drug tests. No action was requested or taken by the Court.

PETITIONING THE COURT

- ☒ The issuance of a warrant
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	Special Condition: The defendant shall abstain from the use of alcohol and any and all other intoxicants.
2.	Mandatory Condition No. 3: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court), but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicated low risk of future substance abuse by the defendant.

Christian Albiter-Mora
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Petition for Warrant or Summons
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3.

Special Condition: The defendant shall submit to substance abuse testing to determine if the defendant has used a prohibited substance. The defendant shall not attempt to obstruct or tamper with the testing methods. The defendant shall pay the costs of testing if financially able.

On January 9, 2024, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine and marijuana. The defendant admitted to said usage.

On December 5, 2023, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine. The defendant admitted to said usage.

On June 28, 2022, the defendant submitted to a random drug test. Said test returned positive from the lab for marijuana. The defendant admitted to said usage.

On May 31, 2022, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine. The defendant admitted to said usage.

On July 11, 2022, August 10, 2022, August 19, 2022, and November 4, 2022, the defendant failed to report for random drug testing.

On August 19, 2022, the defendant reported to the office to submit to random drug testing. However, he stalled and failed to submit a urine sample.

U.S. Probation Officer Recommendation: The defendant has demonstrated a pattern of continued noncompliance as evidenced by his continued use of illicit drugs. The defendant was cautioned as to his continued use of cocaine; however, it is apparent he has no regard for the instructions set by the court. Therefore, it is respectfully recommended that a warrant be issued for the defendant's arrest, and his term of supervised release be revoked

The term of supervision should be

☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)

☐ extended for ___ years for a total term of ___ years

☐ The conditions of supervision should be modified as follows:

Approved:

Respectfully Submitted,



Hector J. Garcia
Supervising U.S. Probation Officer



Mayra Lopez
U.S. Probation Officer,
Date: January 23, 2024
Telephone #: 737-231-6694

Christian Albiter-Mora
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Petition for Warrant or Summons
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Approved:

Joshua Banister for
James T. Ward
Supervisory Assistant U.S. Attorney

cc: Andrew Gonzalez
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

- ☒ No action.
☒ The issuance of a WARRANT. Bond is set in the amount of \$ Detain cash/surety with supervision
by the United States Probation Office to continue as a condition of release.
☐ The issuance of a SUMMONS.
☐ Other _____
-

Alia Moses
Honorable Alia Moses
Chief U.S. District Judge

1/24/24
Date

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA

v.

Criminal No.: **AU:25-M -00198(1)**

(1) Christian Albiter-Mora

Defendant

Date Appeared: February 25, 2025

Time: (0) Entered into 21cr067

INITIAL APPEARANCE DEL RIO DIVISION

1. Petition Filed	<u>01/24/2024</u> <i>Date</i>	Warrant Issued:	<u>01/24/2024</u> <i>Date</i>
Arrested	<u>02/25/2025</u> <i>Date</i>	Agency:	<u>USMS</u> <i>Agency</i>

2. COURT PERSONNEL:

U.S. Magistrate Judge: MARK LANE
Courtroom Deputy: Samantha Landeros
Interpreter: _____

3. APPEARANCES:

AUSA: _____
DEFT: _____

4. PROCEEDINGS:

a.	Age	<u>24</u>	Education	<u>12th grade</u>	Gender	<u>Male</u>
b.	Defendant understands proceedings and is mentally competent.					<u>Y</u>
c.	Defendant is informed of constitutional rights.					<u>Y</u>
d.	Defendant understands charges.					<u>Y</u>
e.	Defendant informed of right to legal counsel.					<u>Y</u>

____ 1) Defendant waives counsel.
____ 2) Defendant states he/she will retain counsel.
____ 3) Defendant states he/she has retained _____
Phone No.: _____

X 4) Defendant requests appointment of counsel.
____ Defendant HAS NOT completed the CJA23 financial affidavit.
____ Court will appoint counsel in the interest of justice based on deft's verbal accounting of his current financial status.
X Defendant HAS completed the CJA23 financial affidavit and the Court will appoint counsel because:
X The defendant is indigent at this time.
____ Even though the defendant is not indigent, counsel will be appointed in the interests of justice.
____ The Court finds that the defendant is NOT eligible and denies request.

f. Initial Appearance set for Monday, March 3rd at 9:00 a.m. before Judge Cordova- Del Rio

5. OTHER: _____